



Erinvale Country & Golf Estate

Architectural Design and Landscaping Guidelines

*as of 1st August 2017
- with amendments as applicable -*

Prologue:

The focus of the original Erinvale Country & Golf Estate Architectural Design and Landscaping Guidelines, was to guide the construction and development of new dwellings on vacant stands and to maintain the "Erinvale Style" throughout the Estate. Minor additions / amendments to the Guidelines have been adopted over the years as the need arose. However, now that the Estate is established, the Guidelines serve more to guide home owners wishing to alter an existing dwelling.

Whilst the concept and common sense of previous versions remain at the basis of these Guidelines, a more comprehensive revision of the Guidelines was required, taking into account the new materials and colours that are now available, as well as products and technology that have been developed resulting from environmental awareness and energy crisis solutions. Contemporary architectural style trends, maturing vegetation etc. all need to be taken into consideration without compromising the overall aesthetics of the Estate.

The Erinvale HOA and Architectural Review Committee have taken all of the above into account, and have also restructured the content / format to provide clearer guidance, wording and descriptions of the process and requirements.

Record of amendments

Date	Description	By
Version 1 launched 1 st August 2017	Fully updated guidelines	Architectural Review Committee
Version 2 18 th March 2019	Amendments / clarifications to clauses 4.1.1, 4.1.7 and 4.2.2	Architectural Review Committee
Version 3 15 th October 2019	<p>Amendment to clause 4.2.1 "Paving" entry sentence - Clause was moved from "House Rules" into this document</p> <p>New Clause 1.15 - was moved from "House Rules" into this document</p>	Architectural Review Committee & Trustees
Version 4 11 th March 2020	Amendments / clarifications to clauses 1.1, 1.4, 1.7, 3.2, 3.13	Architectural Review Committee & Trustees

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1.0 Introduction and the role of the HOA and ARC

- 1.1** The Erinvale Architectural Review Committee (ARC) is appointed by the Trustee Committee of the Erinvale Country Estate Home Owners' Association (HOA) in terms of its Constitution and is chaired by a Trustee.

The purpose of the ARC is to protect the long-term values of properties on Erinvale by regulating and controlling any developments and structural alterations, amendments or additions to the benefit and in the interest of the community.

- 1.2** Owners of property within Erinvale must obtain prior written approval from the HOA / ARC for:

- New buildings to be erected, including external appearance and internal plans
- Any external alterations or additions (such like - but not limited to - paving, fencing, boundary walls, pools), including any construction considered "minor works" by the local authority
- Any internal alterations or additions of structural nature or which could be construed as altering the single residential nature of the dwelling (or where a two family dwelling has previously been approved any alteration to the double residential nature)
- External re-painting or re-coating of buildings, walls, windows, roofs and / or fences
- New buildings or any alterations to an existing building where damage to the building has been caused by fire or any other environmental disaster

- 1.3** The ARC will take a global view of what is most beneficial to Erinvale with balancing the individual requirements of owners of properties when reviewing a request under these guidelines. All submissions will be treated on merit and appropriate discussions entered into.

Whilst the HOA and ARC are using all reasonable endeavours to balance the interests of home owners, neighbours and the interests of the Estate and its community at large when applying these guidelines, it is important to note that the HOA and ARC cannot be held liable for, nor will it become involved in, any personal or legal dispute between home owners where the approval or denial of plans, submitted in terms of these guidelines, may not suit the interests of either party.

- 1.4** The ARC evaluates only the aesthetics of any submission and does not take any responsibility for technical, structural, health or safety standards or for non-compliance with SANS or any other statutory requirements. The Guidelines provide information about Town Planning, use and Aesthetic requirements of the Estate and do not override the requirements

of the National Building Regulations or any other Statutory regulations / requirements.

- 1.5** The ARC may recommend deviations from these guidelines in individual cases, which it deems appropriate for approval by the HOA Trustee Committee.
- 1.6** The following are not subject to these guidelines but nevertheless require the approval(s) referred to in 1.2 above: the Hotel, the Clubhouse and the Mews, and any of their ancillary buildings.
- 1.7** Dwellings constructed under the previous guidelines, or plans being approved based on previous versions of this guideline, are not affected by the amended items of this revised edition. Any new plans for alterations will fall under the current edition of the guidelines.
- 1.8** Where reference is made to approval being required anywhere in this document such approval must be received in writing from the HOA and a copy thereof will be lodged with the HOA.
- 1.9** This document must be read in conjunction with the HOA Constitution and any regulations made thereunder.
- 1.10** The HOA and Trustee Committee will determine the hours and conditions that will apply to building contractors and building operations.
- 1.11** The ARC, subject to the terms of the HOA Constitution, may alter any part or requirement of these guidelines, and may at any time decide to appoint or replace members of the ARC.
- 1.12** All queries relating to submission procedures should be directed to the Erinvale HOA Executive Officer.
- 1.13** No property shall be subject to more than one alteration for every 12-months period.

2.0 The Design Guidelines and Criteria

Erinvale is a residential district with the added advantage of having a golf course within its boundaries.

For this reason, the Erinvale Architectural Guidelines determine certain parameters for the properties to establish a relationship to the surrounding nature, Fynbos areas and/or the golf course (as applicable). This can be achieved through the installation of large picture windows, big sliding shutters (for security and privacy), and front lawns or indigenous vegetation without (or with low) boundary enclosures.

To the street side, the suburban residential streetscape shall be achieved by keeping boundary enclosures reasonably low (as Erinvale is within a security enclosure, high security walls are not necessary around houses), the careful placing of garages, front gates, lighting and landscaping.

The ARC has identified two distinct zones within the Estate – The Upper Area and the Lower Area. Both of these, whilst sharing many common criteria, have additional specific requirements.

The Hotel, Clubhouse, Mews and ancillary buildings will not be covered with these guidelines, but are subject to controls set out by the HOA ARC (see clause 1.6.). The Upper Area is defined as all properties above the 100m contour line (just above the 18th green). In particular, the difference in slope between the two areas has a major effect on the design of houses.

All areas shall share a common range of design criteria. Through the application of such criteria, an integrity and homogeneity of style and finish will be achieved. This is particularly important with finishes such as pergolas, paving, roofs and walls. By working within the suggested range and applying the additional criteria specific to the zone, sufficient scope to suit individual's requirements and taste is conceded, whilst a sense of harmony is attained.

3.0 The Design Review Process

Home owners who are planning alterations or amendments as described under item 1.2 of this document must request approval from the HOA and ARC. The process and requirements are described as follows:

- 3.1** Erinvale ARC meetings usually take place every second week to review any progress or issues with ongoing, formally approved constructions and to review and discuss any new requests for scrutiny and approval. The scrutiny and approval process of the ARC is supported by an appointed architect, who is member of the ARC and provides professional advice for any plans in line with these guidelines and the national building regulations.
- 3.2** Only architects and designers registered with the South African Council for Architects may submit designs and plans for new buildings or structural alterations and amendments.

Architects / Designers are required to provide the HOA / ARC with their contact details, SACAP Number and qualification, together with any plans or sketches they submit for scrutiny and approval. Most documentation and plans relevant to the site can be obtained from the HOA office and City of Cape Town to ensure that their plans and designs are in line with the Erinvale Architectural Guidelines.

- 3.3** The information required for any submission of sketch plans and / or working drawings are outlined within this document. Please refer as well to the check list and declaration template in Addendum 1 and 2.
- 3.4** A scrutiny fee is required and must accompany the plans upon every new submission of plans to the ARC. Current fees overview is obtainable from the HOA office. This scrutiny fee covers the initial review and one revision of plans in case adjustments/amendments are requested by ARC to receive HOA approval.

A new scrutiny would apply in cases whereby the plans have to be resubmitted more than once due to missing / false information or due to changes / alterations initiated by the home owner or architect to the initial plans.

- 3.5** Before compiling working drawings, it is recommended that two hard copies of sketch plans showing the planned construction work in a schematic way are submitted to the ARC (via the HOA office) for preliminary discussion. This will prevent unnecessary delays and the risk of rejection of working drawings. Based on receipt of such preliminary information, the ARC will be able to indicate, if an approval in general can be expected, or if any adjustments would be required.

A reduced "sketch plan scrutiny fee" applies for the review of such plans. If such scrutinised sketch plans are turned into working plans (within max 3 months) the "sketch plan scrutiny fee" will be deducted from the scrutiny fee due under clause 3.4 of this document.

- 3.6** Working drawings must be submitted as hard copies (in duplicate) to the ARC for scrutiny and approval accompanied with all details and documents detailed in Addendum 1 and 2 of this document.

As per municipal rules, working drawings for Council submission must accompany previously approved plans by the HOA and City of Cape Town. If existing, "As Built" drawings issued to the Council after completion of the construction showing the current status of the building in order to compare with the new plans must be provided.

- 3.7** The ARC will enforce the contents of this document, and any other requirements at its discretion. To this extent each design will be treated on its own merit.
- 3.8** On approval, the two sets of drawings will be stamped with the HOA "Approved" stamp and one set returned to the home owner or architect / designer for submission to the City of Cape Town.

The City of Cape Town will not accept / scrutinise any plans without the HOA "Approved" stamp.

- 3.9** The home owner or their architect, are responsible for providing the HOA with an electronic copy of the municipal approved and stamped plans.
- 3.10** No deviation from any such approved plans may take place without additional approval and stamp from the HOA / ARC. Please note, that it is the responsibility of each home owner to abide by this rule - even in cases, where the City of Cape Town may approve or even request these deviations. The home owner is required to inform the ARC of any such amendments to initially approved plans and to submit new plans for approval – failure may result in the HOA suspending the construction process or requesting correction of any unapproved structures which do not conform to the Erinvale Architectural Guidelines.

- 3.11** The start date of approved works must be agreed with the HOA and can only commence after the HOA have received a copy of the plans that have been approved and stamped by the City of Cape Town. All relevant scrutiny and building fees must also have been paid by the home owner.

- 3.12** One set of plans will be retained by the HOA for their records. Plans approved by the ARC and Municipality (if applicable) are valid for 12 months

only – it is possible to extend the timeframe by a maximum of 12 months further, following such time the application elapses irrevocably. If building works do not commence within this time, the re-submission of plans are required and the process will start again.

3.13 Scrutiny of designs by the ARC is solely to check for compliance with its Guidelines. The responsibility to comply with the South African National Building Regulations [SANS], these Guidelines and any other relevant statutory requirements/regulations rests entirely with the owner of an erf and his/her architect/designer responsible for the design and submission of Building Plans. Where conflict is found between the requirements of the SANS and these Guidelines, the SANS requirements override these Guidelines.

Attention is drawn to the 'Public Safety Regulations', Part D of the SANS 10400 with reference to part [D1] 'Change in Levels', referring to balustrades on stairs and outside terraces. Also, Part [D4] 'Swimming Pools and Swimming Baths' ensuring that controlled access to these are maintained at all times.

3.14 For all construction mentioned under item 1.2 as well as for internal works/renovations (that may not require HOA approval but will take longer than 3 working days) a building / renovation fee is payable to the HOA before work may begin - this fee covers the maintenance of Estate roads and infrastructure used by contractors during the period of works.

4.0 GUIDE TO THE VARIOUS ASPECTS OF DESIGN, BUILDING & LANDSCAPING:

The following section describes the agreed aesthetic guidelines for Erinvale Country & Golf Estate:

4.1 ARCHITECTURE

4.1.1 Architectural style

APPROVED:

- Dwellings that fit with the overall aesthetics of the Estate
- Terraces / courtyards for private space
- Sensitive use of light and shade
- Roof space for additional accommodation
- Underground basements must comply with Town Planning definition of "basement" provided that if visible they are screened by an earth bank to minimise visual impact
- Buildings that follow the slope
- Low pitched roofs
- Large areas of glass to reduce the impact of building on a slope

NOT APPROVED:

- In the Lower & Upper Areas building coverage exceeding 50% of the Erf
- In the Upper Area building coverage exceeding 40% for double storeys
- Buildings on stilts
- Buildings with more than two floors above natural ground level
- Dwellings, or any part thereof, that exceed the maximum height of 8.5m (measured parallel from the natural ground level)
- Buildings that go beyond the municipal building lines without the approval of both the Municipality and the ARC)
- Buildings that are over the building line facing the street side
- Replicas of Cape Dutch / Edwardian / Victorian / Mediterranean buildings
- Neo-classical or classical references
- Eclectic style
- Timber frames
- Log cabins

4.1.2 Roofs

Please note: In cases where the material or style of any visible roof is planned to be changed, it applies to the entire roof of the dwelling – not just portions thereof – and it must meet the overall aesthetic and style of the house.

APPROVED:

- Traditional Victorian sheeting - provided it is pre-painted or painted before completion of the dwelling
- Cement based or clay tiles
- Slate
- Thatch – **ONLY** with implementation of a suitable sprinkler system on the roof (ideally connected to dedicated water tanks to ensure sufficient water pressure in case of fire)
- Shingle
- Concrete flat roofs (provided that they have gravel or paved finishes)
- Metal roof sheeting and Kliplok profile (provided that they are concealed by parapet walls or fascia's)
- Timber strip eaves
- COLOUR: charcoal to black (dark green only if it is the current Colour)

NOT APPROVED:

- Profiled cement or fibre sheeting
- Unpainted metal sheeting (see immediately below)
- Metal sheeting at pitches greater than 10 degrees - unless it is traditional corrugated Victorian profile - does require special HOA/ARC approval in writing
- Metal tiles
- Flat roofs
 - If waterproofing is uncovered or exposed
 - Without parapets or fascias
 - If unpainted
- Unclipped tiles (that are subject to wind damage)
- Thatch roof without a sufficient sprinkler system
- Semi-circular vaulted roofs
- Mansard roofs
- Decorative elements
- Pitches exceeding 55 degrees
- COLOUR: light coloured or reflective roofs

4.1.3 External walls and plumbing.

APPROVED:

- Smooth plaster
- Slightly textured plaster (provided the process is approved by ARC)
- Painted fair face brick, with or without raked joints
- Plinths made out of stone or simulated stone
- Envirodeck composite wall cladding materials
- Plumbing pipes that are concealed within walls and not visible from the outside
- COLOURS are strictly subject to HOA/ARC approval and need to be within the range of white, off-white, or subdued earthy tones

NOT APPROVED:

- Plaster effects such as "Spanish plastering"
- Ornate mouldings
- Unpainted face brick or clinker brick
- Stone (other than to plinth level)
- Reflective finishes
- Timber frames
- Any visible plumbing
- Decorated gables such as mock Cape Dutch
- Quoining
- Decorative moulded panels
- Ionic or other classical columns
- Finials

4.1.4 Windows & doors,

APPROVED:

- Painted or varnished timber
- uPVC
- Anodised or powder coated Aluminium
- Slightly tinted glass to reduce UV rays
- Arched feature windows / doors
- Sliding shutters
- Working side-hung shutters
- 'Winblok' (in certain circumstances, with the HOA/ARC approval only)
- Large picture windows
- French / sliding doors facing the course are approved but must be shaded if necessary in order to reduce the reflection
- The positioning, design and sizes of the windows must be aesthetically pleasing and in line with the overall design of the building
- COLOUR: white, charcoal to black, colour to match the roof, natural wood varnish - Any other colour strictly subject to HOA/ARC approval

NOT APPROVED:

- Steel frames
- Reflective (mirror) glass
- Fake shutters
- Glass flush with the outside walls
- Arched windows with arch greater than 1:10

4.1.5 Verandas, balconies, balustrades,

APPROVED:

- Wrought / cast iron or Aluminium
- Stainless steel
- Safety glass / frosted glass

- Materials consistent with roofs / window frames / shutters of the main structure
- Timber decks
- COLOUR: white, charcoal to black, colour or varnish to match roof, windows and doors

NOT APPROVED:

- Decorative balustrades
- Rails
- Elements including classical or neo-classical references, or any other style prohibited under 4.1.1.

4.1.6 Awnings & pergolas

APPROVED:

- Awnings of canvas / shade cloth / sail cloth
- Timber, concrete column, Aluminium or stainless steel Pergolas (provided it is in keeping with the overall style of the house)
- All large glazed areas shall have deep overhangs or canopies to comply with SANS 10400 XA energy efficiency requirements
- COLOUR:
 - Awnings to be white / off-white / subdued colours
 - Pergolas to match main structure

NOT APPROVED:

- Fibre glass or metal sheeting
- Tubular metal
- Gum poles (exception only in combination with thatch roofs)

4.1.7 Garages and all other outbuildings or structures

The below must be linked to the main structure and tie in aesthetically with the rest of the dwelling.

APPROVED:

- Garages
 - In the Lower Area - two single or one double garage door(s)
 - In the Upper Area - two double garage doors (double doors must not exceed 4.8m)
 - Golf cart garage door
 - Horizontal weatherboard garage doors in a natural colour, or painted to match the main structure
- Permanent toilet and / or shower room accessible to workmen and gardeners
- Materials / construction / finish to match the main structure and be of permanent nature and sound construction
- COLOURS that match the main structure

NOT APPROVED:

- Gazebos / conservatories / greenhouses without previous ARC approval
- Garages / carports / permanent tool sheds that are not physically linked to the main structure
- Garages / carports / permanent tool sheds that are over the building line facing the street side
- Temporary structures such as tool sheds / wendy houses / tree houses
- Drying areas for any dwellings without a drying-service yard must be enclosed with walls 2.2m above natural ground level
- Exposed edges to carport roof sheeting
- Fiberglass
- Tubular metal or visible shade net carports

4.1.8 Swimming pools,

APPROVED:

- Pool structures including size and fencing that comply with municipal requirements
- Fencing material and colour that matches the boundary fence (where possible)
- Pool surrounds that match general paving or deck structure
- COLOUR: shades of blue, white, grey, black only

NOT APPROVED:

- Portable pools above the ground level
- Visible pumps and motors (noise to be reduced as much as possible)

4.1.9 Aerials, satellite dishes, roof fixtures,

APPROVED:

- Unobtrusive dishes and installations that are not visible from the outside
- TV aerials fixed flush with the roof plane
- *Please consider:* All Erinvale residents have access to high speed Internet (via Fibre to the home installation) and should consider the usage of Internet TV that makes the installation of Satellite Dishes obsolete.
- Roof reflectors for bird deterrent devices, such as the "Eagle Eye" product - only with HOA/ARC approval prior to installation

NOT APPROVED:

- "Ham" or similar antenna or structure
- Any Devices projecting above a flat roof or roof height
- Roof reflectors for bird deterrent devices that make noises
- Any obtrusive or reflective colour or material

4.1.10 Standby power systems

For uninterrupted power supply (UPS) we strongly recommend a battery based UPS installation, these are less noisy than fuel generators.

Fuel generators should only be a backup for longer term power failure or blackout and to reload the battery based UPS System.

Any installation must meet municipal regulations concerning electrical connections; noise, safety, fuel storage, battery storage, etc. Details available at the HOA offices.

4.1.11 Solar Heating systems

Any installation of this type requires written approval from the HOA/ARC. Requests must be submitted in writing, together with a detailed explanation of the type / brand / position of panels / piping / tanks etc.

APPROVED:

- Solar collectors (panels, etc) and roof piping flush with the roof
- Solar storage tanks (geysers etc.) that are not visible to neighbours or from the golf course, i.e. by using existing geysers within the roof structure, or in an unobtrusive location using a forced circulation / pumped system – see ESKOM guidelines available at the HOA office.
- Solar installations on roof sections that minimise the visual impact for neighbours and from the golf course - see ESKOM guidelines at the HOA office.

NOT APPROVED:

- Solar collectors, roof piping and / or external solar storage tanks that are above the roof line, or are generally unsightly.

4.1.12 Flag Poles

Any new installations of Flag Poles are prohibited.

Where Flag Poles have previously been approved, the HOA/ARC will ask that the home owner considers taking them down.

For existing installations, the following Rules & Conditions apply:

- No more than two existing flagpoles are allowed on a home owner's property (providing that they also have the written approval from the HOA/ARC and their neighbours)
- The height of the top of the flagpole(s) may not exceed that of the roof-line of the property

- The flagpole(s) must be erected either on, or within, the municipal building lines of the Erf concerned
- The flagpole(s) must **NOT** be erected upon the street facing aspect of the Erf and must be invisible from the outside
- Only nationally and internationally recognised flags made from an appropriate cloth material, flown the correct way up, may be flown from such a flagpole. The flying or erection of any other type of flag or object of any kind is strictly prohibited
- The Constitution of South Africa specifically states that the flying of the R.S.A national flag is subject to the following conditions: The flag of no other nation may be erected / flown without the South African flag already having been erected / flown.

4.1.13 Water Storage Tanks

Due to climate change and experience of repeated extreme drought, the HOA would like to explicitly encourage home owners to install alternative water systems for water-wise usage of water.

Following Rules and Conditions apply:

- Owners of property on Erinvale must obtain prior approval from the ARC when wishing to install tanks for rain harvesting and collection of grey water
- Tanks have to be of an approved structure with a minimum ten year lifespan, and must be placed on a solid foundation
- Tanks must be in keeping with the aesthetics of the Estate, they must be screened from view and not be visible from the roadway or from the golf course. The screening of tanks must match the colour of the dwelling. If the extension is visible to the neighbours, it is recommended that affected neighbours be consulted.
- For rain harvesting tanks the flow of water from the roof must be as unobtrusive as possible – if additional guttering is required, this will require approval from the HOA/ARC.
- Below ground tanks may be used if the approved structural tank is sunk within the correct engineering guidelines
 - grey water tanks must be placed underground
 - for rain harvesting tanks it is optional to place these underground
- Tanks must be connected to the existing plumbing and guttering by a qualified plumber
- For grey water systems, the provision of an appropriate filtration mechanism is mandatory. The filtration mechanism needs to be efficient to avoid any odour that is usually experienced in relation to grey water usage. Alternatively, use must be made of the appropriate

available chemicals to eliminate any odour - information can be obtained from the HOA office

- Pumps installed for the distribution of water must not be noisier than a swimming pool pump. Such pumps must be enclosed in appropriate housing so as not to be a nuisance to neighbours

4.1.14 Views / Privacy

Home owners, who are choosing to live within an Estate where properties and dwellings are located and built in close proximity acknowledge the principle that views and privacy cannot be granted or perpetually guaranteed without any possible impingement.

If the property / dwelling is located adjacent to, or across from a dedicated natural or green area on the Estate, the view from that property shall be kept unaffected, as far as reasonably possible.

Alterations, amendments or extensions to all dwellings have to be accepted by interested and affected parties as long as they are compliant with these guidelines.

It is however important that individual home owners, who are planning construction works, ensure that new dwellings and alterations to existing dwellings, are designed in a manner that respects the need for private outdoor space for neighbouring owners. Solutions required to maintain said privacy may include, but will not be limited to, the frosting of windows and screening with vegetation or other structures. In return, the neighbouring owner must respect the applying owner's right to amend / change / extend the design and footprint of their dwelling.

It is recommended that the home owner consults, as far as reasonably possible, with their neighbours about the proposed building plans in order to achieve consensus about the proposed construction and to obtain their consent thereto. It is noted that consent should not be unreasonably withheld.

A "Neighbour" is defined as an adjacent or facing property. The final decision as to which properties are considered a neighbouring dwelling shall rest with the ARC.

Procedure for applying this rule:

1. The Home owner applying for alterations is encouraged to visit all relevant neighbours (as per definition above). Full details of the alteration (plans, roof heights, boundary, satellite dishes etc.) should be shown to the neighbour in order to explain what is planned, and to confirm that the plans are within the rules and guidelines of the Estate.

2. The consent of the neighbour(s) should be documented with the date and their signature and submitted to the ARC for scrutiny.

The ARC must be satisfied that all relevant neighbours have been consulted. If not, they may request that additional parties are approached.

3. In the event of an objection from a neighbour, the neighbour should provide full reasons for his objection in writing to the applying home owner via the HOA. Following this, the HOA/ARC will then review the validity of the objection and a ruling will be made accordingly.

It is important to note that if proposed alterations are within the ARC guidelines, an approval cannot, and will not, be withheld based on the neighbours objection. However, if the HOA/ARC come to the conclusion that the objection is reasonable, the ruling may include the HOA/ARC imposing additional conditions to be met before final approval is given.

4. In the event of the ruling being challenged by either the Home owner or the affected neighbour(s), the dispute will be referred to the appointed arbitrators of the Estate.

4.2 HARD LANDSCAPING

4.2.1 Paving

No part of the Common Area or Golf Course may be paved except for the portion of one driveway and one pedestrian crossing per erf which lies between the Member's property and the road.

The portion of the driveway may be paved to a maximum width of 6 (six) metres and the portion of the pedestrian crossing to a maximum of 1 (one) metre.

APPROVED:

- Gravel, clay bricks, terracotta tiles, cobbles (black or grey)
- COLOUR: similar to the general colour scheme of the dwelling and natural tones only (no artificial tints)

NOT APPROVED:

- Concrete interlocking blocks, concrete paving slabs, asphalt
- Cobbles other than black / grey
- More than 50% of unbuilt area of Erf paved
- Elaborate patterns without approval of a sketch
- More than one vehicle crossing of the road verge maximum width 6.0m and one pedestrian crossing maximum width 1.0m

4.2.2 Boundary enclosures

- All neighbours whose boundaries are affected must provide a consent (which shall not be unreasonably withheld.)
- Please note that the Trustee Committee will have the final say in the event of any dispute over any boundary enclosures.
- Where wire mesh or higher walls / fences are approved, these may be requested to be softened with plants / creepers)

APPROVED:

- Preferred choice:
 - Walls / fences not higher than 1.2m.
 - No enclosures on the golf course side of Erf
 - Walls not to exceed two thirds of Erf.
- Walls / fences 1.2m high, going up to 1.5m taking account of slope where applicable
- Walls / fences between neighbouring dwellings up to a maximum of 2.2m, provided it is reduced to 1.2m high up to the applicable building lines facing street side and golf course.
- Timber picket fencing, only when painted
- uPVC fencing in white
- Smooth plastered masonry
- Painted fair face brick
- Steel palisade with brick column elements
- Green wire fencing framed with gum poles (only on the sides or back of ERF - not facing the street side neither the golf course)
- ClearVu fencing (only on the side or back – if not golf course), Frame to match the overall aesthetic and colour of the dwelling or blend with the vegetation
- Any other material approved by the ARC
- COLOUR: to match main structure, black steel palisade, timber painted white / Victorian green / natural

NOT APPROVED:

- Walls / fences at heights other than specified above
- Concrete panels
- Wire fencing facing street or golf course or other than as approved above
- ClearVu fencing facing street or golf course or other than as approved above
- Unpainted brick / clinker / masonry / palisade
- COLOUR: anything other than specified above

4.2.3 Signage, street furniture & external lighting

APPROVED:

- Bollard / wall mounted lights, timber bollards, sodium lighting
- Letterbox

NOT APPROVED:

- Novelty / sculptural letterboxes
- Floodlighting or other lighting which poses a nuisance to neighbours

4.2.4 Boreholes

Please refer to the Erinvale Country and Golf Estate HOUSE RULES - clause E14.

4.3 SOFT LANDSCAPING

4.3.1 Existing and New Vegetation

The Erinvale Country and Golf Estate is located at the slopes of the Helderberg Mountain and borders the Nature Reserve. To blend smoothly into this beautiful natural environment it is the aim to preserve and protect the existing vegetation within the Estate as much as possible.

Due to the changing climate and increasing risk of drought and water restrictions, it is highly recommended that the new plantings, or replacement of damaged / destroyed plants, should be made with water-wise, indigenous plants.

Rules in regard to mature trees:

Trees that exceed a girth of 150mm at ground level are hereafter referred to as 'Mature' trees.

The following rules apply to mature trees:

- Request for permission to remove or *materially** modify mature trees, must be made to the HOA in writing.

* *Materially* applies to modifications that will change the overall appearance and structure of the tree, or exceed 30% from the existing status. It does not apply to the (professional) trimming of the tree in order to enhance and maintain its health and / or structure within these measures.

- Any such request must contain an explanation and justification for the request, i.e.
 - In cases of overcrowding, where vegetation is getting too dense and one tree may need to be removed in order to allow healthy growth of another tree
 - In cases of storm damage that have broken parts off the tree
 - or if the tree looks overaged or unhealthy
- Any major trimming, material modification, or removal of a tree (after written approval from the HOA was provided) must be carried out by a professional tree service company.
- For requests referring to trees on private grounds, the HOA Executive Officer, in consultation with the ARC Trustee and / or the Estate Grounds Committee (EGC) Trustee, together with an independent expert on tree management, will make a decision. If permission is granted, the costs of any removal or modification will be for the requesting, home owners account.
- For requests referring to trees on common property, such requests will be reviewed by the HOA Executive Officer, the ARC Trustee, and the EGC Trustee, and if necessary an independent tree management expert. If necessary any such request will then be referred to the full HOA Trustee committee. In the absence of justification, based upon over-crowding, inappropriate species for the location, or safety reasons, requests to remove or modify a mature tree which is growing on Estate common property will be refused. In case of exceptions, where permission is granted for the request on common property, the cost of such modification or removal will be for the requesting home owners account, or a 50 / 50 split between the home owner and the HOA.
- All of the above guidelines on the management of mature trees will be superseded, where any mature tree is found to be damaged by disease, weather, accident, or may be the potential cause of damage to any property or estate traffic, or pose a safety risk to Estate residents or personnel. Decisions on the modification or removal of such a mature tree on common property will rest with the HOA Executive Officer, in consultation with the appropriate Trustees.

4.3.2 Boundary Planting / Screening

APPROVED:

- The screening of buildings through tree planting with lifted tree canopies in order to afford views of the golf course, mountains, hills and sea
- Boundary planting using hedges and shrubs that can be maintained to keep the height at 2m or below
- The planting of new trees or other vegetation (consideration must be

given to the potential growth of the tree or plant and must allow enough space and distance to the boundary wall(s) for the plant to grow in order to avoid overhanging branches and roots on to neighbouring properties)

NOT APPROVED:

- Boundary planting of trees that will naturally grow higher than 2m
- The planting of trees too close to boundary walls

4.3.3 Road verge planting

Any removal of road verge plants or planting of new vegetation (i.e. because existing vegetation was damaged during construction works) must be approved in writing by the HOA.

4.3.4 Golf course and / or Common ground side planting

Any removal of plants or planting of new vegetation must be approved in writing by the HOA.

PLEASE NOTE: Any approval that was given in this respect is on the understanding that it may be withdrawn at any time in the future without compensation.

NOT APPROVED:

- The use of golf course or common ground areas as an extension of the home owners garden without written approval of the HOA
- The landscaping / re-shaping of the ground that changes the existing natural ground level

4.3.5 New Planting: Plant species:

When designing / re-designing / landscaping gardens or parts of the garden, home owners should consider using indigenous, water-wise plants and Fynbos to match the existing surrounding natural environment. Consideration to the extended risk of drought and impact on water restrictions must be given. A list of recommended water-wise plants is available from the HOA office.

NOT APPROVED (for new planting):

- Prohibited Species: like pine trees, silky oak, bottlebrush, Ficus nitida, wild banana (strelitzia nicolai), cordyline, palms of any sort, blue gum, banana, weeping willow, beefwood, poplar lombardi, pampas grass, noxious weeds, (lantana camara, etc), invasive species (exotic acacias such as Port Jackson, wattle, hakea, rooikrans, etc). Please note that the list of prohibited species alters from time to time and is not comprehensive. Please consult with the HOA office, if in doubt.

Addendum 1 – CHECK LIST
Information to be provided to Erinvale HOA
for ARC scrutiny and approval process

Please include all required information listed below when submitting your plans / request. Missing information may lead to the denial of approval and additional scrutiny charges for multiple reviews may apply.

No	Description of requested content / information	Required for Sketch (S) and or working drawing (WD)
1	Declaration / brief description (Addendum 2 - Template) to include: <ul style="list-style-type: none"> ✓ Property owner, street name and number, ERF number ✓ What is planned to be constructed, altered or amended ✓ The appointed architect / designer ✓ When the building work will begin (following approval) - requests to the local authority must be mentioned & a copy of the outcome (approval / denial) to accompany the plans 	S + WD
2	Details of the architect / architectural technician to be provided on all plans <ul style="list-style-type: none"> ✓ Contact details (name, telephone, email, office address) ✓ SACAP Number ✓ Qualification ✓ Date and signature 	S + WD
3	Sketch plans - <u>2 hard copies</u> must be provided and include the following (in a <u>schematic</u> way only): <ul style="list-style-type: none"> ✓ Property owner, street name and number, ERF number ✓ Site Plan, Layout Plan, Roof Plan (if appl. with actual wall and roof lines) ✓ Elevations and sections ✓ Description of rooms / areas ✓ Natural Ground Level (NGL) / Finished Ground Level (FGL) ✓ Contour lines at 500mm centers ✓ Specify external materials and colours ✓ Date of document / revision and signature of the appointed architect / designer 	S
4	Working drawings that qualify for the HOA and municipal approval must be provided in <u>2 hard copies</u> and include: <ul style="list-style-type: none"> ✓ As-built plans or alternatively previously approved plans as described in clause 3.6. of these guidelines (showing the current design of the dwelling) including: <ul style="list-style-type: none"> ○ Property owner, street name and number, ERF number ○ Neighbours ERF numbers ○ Details of architect as per item no 2 ○ Site Plan, Layout Plan, Roof Plan (if appl.) with actual wall and roof lines ○ Elevation 	WD

	<ul style="list-style-type: none"> ○ Natural Ground Level (NGL) / Finished Ground Level (FGL) ○ Contour lines at 500mm centres ○ Actual height ○ Existing boundary wall ○ Actual building lines ○ Description of actual rooms / floors ○ Actual area of each floor and the total dwelling area ○ Actual external materials and colours ○ Date of document / revision and signature of the appointed architect / designer <p>✓ New plans to include:</p> <ul style="list-style-type: none"> ○ Property owner, street name and number, ERF number ○ Neighbours names and ERF numbers ○ Details of architect as per item no 2 ○ Any alterations or amendments of the as-built design must be clearly indicated using the colour-codes as per current municipal rules ○ Proposed Site Plan, Layout Plan, Roof Plan (if appl.) with actual wall and roof lines ○ Proposed Elevations ○ Natural Ground Level (NGL) / Finished Ground Level (FGL) ○ Original contour lines at 500mm centers ○ Proposed and existing height ○ Proposed and existing boundary wall ○ Proposed and existing building lines ○ Name of rooms / floors clearly indicating "existing" or "new" ○ Areas of each floor and the total dwelling area ○ Specification of external materials and colours clearly indicating "existing" or "new" by description or the use of colour codes ○ Date of document / revision and signature of the appointed architect / architectural technician ○ In the case of a proposed new construction, alteration or amendment that is deemed to have any impact on the neighbours, the new plans must include the written approval, name, date and signature of the affected neighbours 	
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**Addendum 2 – DECLARATION
Request for approval from the HOA**

ERF no. _____/ Street & No. _____
Erinvale Country & Golf Estate, 7130 Somerset West

Name of property owner and if different: name of requesting person (in this case please explain under comments regarding relation / reason)

Appointed Architect / Designer (name, telephone, mobile, email, office address)

SACAP Reg. no. / Qualification

Brief Description of what is planned to be constructed, altered or amended

Continued Brief Description (can be attached as separate document if required)

I, the above architect / designer, hereby submit the applicable plans and declare to the best of my knowledge that these comply with the Erinvale Country & Golf Estate's Architectural Design and Landscaping Guidelines (Version of 1st August 2017), and with the information requested in the Check List in Addendum 1 of this document.

Signature

Date

ADDITIONAL COMMENTS

<p>HOA office received:</p> <p>Date:</p> <p>Initials</p>
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ERINVALE® COUNTRY ESTATE HOMEOWNERS' ASSOCIATION

Unit 6005, Erinvale Estate, Somerset West, 7130, South Africa

Tel: +27 (021) 847-1249/1563 Fax/Ans: +27 (021) 847-1129

E-mail: info@erinvalehoa.co.za

Addendum 3 - UNDERTAKING - ALTERATIONS / ADDITIONS

I, the undersigned

the owner * of Erf _____ situate within the township of Erinvale, Somerset West (hereinafter referred to as "the Member")

***If an authorised representative of the owner a certified copy of the authorisation must be provided**

1. Do hereby undertake and agree in favour of the Erinvale Country Estate Home Owners' Association (hereinafter referred to as "the Home Owners' Association") Member shall:
 - 1.1 Not commence any building work and/or construction activity nor remove any tree on the above Erf prior to the approval by the Home Owners' Association of building plan/s in respect thereof;
 - 1.2 Not deviate from any building plan approved by the Home Owners' Association prior to the issue of written approval by the Home Owners' Association of a plan reflecting the deviation intended;
 - 1.3 Fully and punctually comply with the rules and regulations of the Home Owners' Association in relation to the execution of building work at Erinvale and in particular the regulations governing building contractor activity and the code of conduct;
 - 1.4 Be responsible for and ensure that every contractor employed by the Member, alternatively subcontracted by any contractor employed by the Member, shall comply fully and punctually with the rules of the Home Owners' Association and in particular the regulations governing building contractor activity and the code of conduct;

- 1.5 Pay any such fees as the Home Owners' Association may require to secure compliance with the rules and regulations of the Home Owners' Association and/or the terms and conditions hereof;
- 1.6 Allow representatives of the Home Owners' Association in the capacity of such professionals as it may see fit, to inspect all buildings and/or structures.
- 1.7 Ensure that construction shall be completed within six months of commencement failing which penalties equal to four times the monthly levy payable by other members of the Home Owner's Association may be imposed by the Home Owners' Association. Commencement shall be the date the Home Owners Association's Estate Manager records that the builder has started work on the site. Completion is when the Estate Manager records that a completion inspection has been requested from the Council, subsequently resulting in a completion certificate.
- 1.8 Will not commence painting the exterior of the dwelling until the paint colour chosen has been approved by the Home Owners' Association.
2. Agree that in the event that the member and/or any person or entity contracted by the Member and/or any sub-contractor as envisaged in sub-clause 1.4. above, breaches, causes and /or suffers the undertakings herein referred to be breached, and fails to remedy such breach within 7 (Seven) days of receipt by the Member of written notice for the remedy of such breach, the Home Owners' Association shall be entitled in its entire discretion and at its election to:
 - 2.1 Require the Member to cause all contractors referred to herein before to cease all building and/or construction work forthwith and until such time as the breaches complained of by the Home Owners' Association have been remedied to its satisfaction; and/or
 - 2.2 Require the Member to put up such deposits upon such terms and conditions as the Home Owners' Association may demand (including conditions as to forfeiture); and/or
 - 2.3 Require the Member to demolish that portion of any building or structure that is not in compliance with the plans approved by the Home Owners' Association and to stop all further building work until the respective portion of any offending building or structure has been demolished to the extent that it is not in compliance with the plans approved by the Home Owners' Association; and/or
 - 2.4 Require the Member to pay all legal and professional fees and costs on the scale as between attorney and own client that may be incurred by the Home Owners' Association pursuant to a breach of this undertaking an/or in enforcing the undertaking.
3. Hereby acknowledge that I have read and understood the regulations governing building contractor activity and the code of conduct and that the Member will require any contractor employed to take the terms and conditions thereof and hereof into consideration when quoting in respect of construction activity and/or building work to be executed at Erinvale. I, in my capacity aforesaid,

also undertake to cause all my contractors and sub-contractors that may gain access to Erinvale to sign the document entitled "Regulations Governing Building Contractor Activity and Code of Conduct" prior to the commencement of any building activity on the Erf referred to and to sign such document myself.

4. Hereby indemnify the Home Owners' Association against any claim that may be made against it by any person for any loss or damage suffered as a result of the execution of any building and/or construction activity in relation to the Erf referred to, or by the Home Owners' Association lawfully exercising its rights and remedies in terms hereof.

**THUS DONE AND SIGNED AT _____ on this the ____ day of _____
20__ IN THE PRESENCE OF THE UNDERSIGNED WITNESSES.**

_____ The **Member or representative who warrants that he/she is duly authorised thereto** (NB - certified authorisation to be attached where applicable)

AS WITNESSES:

1. _____

2. _____

THUS ACCEPTED ON BEHALF OF THE ERINVALLE COUNTRY ESTATE HOME OWNERS' ASSOCIATION ON THIS THE ____ DAY OF _____ 20__

Erinvale Country Estate Home Owners' Association



ERINVALE® COUNTRY ESTATE HOMEOWNERS' ASSOCIATION

Unit 6005, Erinvale Estate, Somerset West, 7130, South Africa

Tel: +27 (021) 847-1249/1563 Fax/Ans: +27 (021) 847-1129

E-mail: info@erinvalehoa.co.za

Addendum 4 - REGULATIONS GOVERNING BUILDING CONTRACTOR ACTIVITY and CODE OF CONDUCT (ALTERATIONS)

THIS DOCUMENT MUST FORM PART OF ANY BUILDING CONTRACT. IT MUST BE SIGNED BY OWNERS'/REPRESENTATIVES AND MAIN CONTRACTORS AND A COPY LODGED WITH THE HOA BEFORE ANY BUILDING ACTIVITY MAY COMMENCE.

SUMMARY

- * A Scrutiny fee is payable when submitting any working drawings and a Construction fee is payable before any project may commence. (Clause 1)
- * Working hours are restricted. (Clause 2)
- * Entry and exit are permitted through the main gates only and by vehicle only and access cards to be obtained. (Clause 3)
- * The building site must be fenced and activities must be confined to the site. (Clause 5) * Toilet facilities must be provided. (Clause 6)
- * Any storage shed must conform with HOA requirements and sand heaps must be covered adequately. (Clause 7)
- * Rubbish must be removed regularly and may not be burnt on site. (Clause 8)
- * Rubble must be removed regularly. (Clause 9)
- * Fill must be disposed of. (Clause 10)
- * Deliveries are subject to restrictions. (Clause 11)
- * Speed limits must be adhered to. (Clause 12)
- * Noise must be kept to a minimum. (Clause 13)
- * No persons may sleep on a building site. (Clause 14)
- * Owners and contractors are responsible for damage. (Clause 15)

- * Wildlife is protected. (Clause 16)
- * HOA may suspend building activity. (Clause 17)
- * Contractors must comply with legislated requirements. (Clause 18)
- * Deviations to plan. (Clause 19)
- * Specs for temporary structures (clause 20)
- * Owners and contractors undertake to comply with these regulations. (Clause 21)

BEFORE ANY BUILDING ACTIVITY MAY COMMENCE AND BEFORE ANY MATERIALS MAY BE DELIVERED TO SITE:

- * Building plans must have been approved by the HOA and the relevant municipal authority
- * A copy of this document, duly signed, must have been lodged with the HOA
- * Building sites must have been properly demarcated
- * Site toilets must have been properly installed
- * Suitable depositories for rubbish and rubble must have been installed

INTRODUCTION

The Erinvale Country Estate Home Owners' Association ("HOA"), the legally constituted representative of owners at Erinvale has adopted certain rules relating to building contractor activity on the Estate. This document sets out those rules as well as the HOA's expectations of building contractors' standards of behaviour when building on the Estate. The primary intention of the provisions hereunder is to ensure that all building activity at Erinvale occurs with the least possible disruption to owners and residents. In the event of any uncertainty, owners and/or their contractors should contact the HOA.

The conditions governing building activity which are set out in this document are rules adopted by the HOA and are therefore binding on all owners. Furthermore, all owners are obliged to ensure that their building contractors and/or sub-contractors are made aware of the conditions and comply strictly with them. Owners are therefore required to include the conditions in their entirety in any building contract concluded in respect of property on the Estate. The HOA has the right to suspend any building activity in contravention of any of the conditions and the HOA accepts no liability whatsoever for any losses sustained by an owner as a result thereof.

The main contractor is responsible for the activities of all his sub-contractors and suppliers. To this end he is expected to have competent supervision on site at all times with sufficient authority to control the activities of all his employees and those of his sub-contractors and suppliers and in particular the manner in which deliveries are made to the site.

Where sub-contractors are appointed by the owner, the owner must assume this responsibility and must ensure that each sub-contractor arranges for appropriate supervision on site.

If there is no main contractor, then the owner shall assume all the responsibilities of a main contractor as outlined in this document.

Although the HOA reserves the right to act in terms of the provisions of this document, some latitude will be exercised in circumstances where its provisions prove impractical or where special circumstances exist. Any concessions so made will in no way prejudice the right of the HOA to enforce these regulations to the full extent prescribed.

REGULATIONS AND CODE OF CONDUCT

In the following text, where terms such as suitable, adequate, appropriate, etc., are used, the HOA shall be the sole arbiter as to what is suitable, adequate, appropriate, etc. Where specifics are mentioned, such specifics shall not affect the generality of the content.

- **Clause 1 - SCRUTINY AND CONSTRUCTION FEES**

A Scrutiny fee determined by the HOA is payable upon submission of any working drawings and a Construction fee, determined by the HOA, will be payable before any project may commence.

- **Clause 2 - WORKING HOURS**

Contractors are permitted on the Estate only from 07h00 to 18h00 on weekdays. No contractor activity is permitted on the Estate on Saturdays, Sundays, and Public Holidays, or during the legislated builders shutdown period, as recommended by the Industry.

- **Clause 3 - ENTRY AND EXIT**

All main contractors, supervisors, architects, sub-contractors and any others involved in the construction must adhere to the gate security requirements. Persons may enter or leave the Estate only through the main gates and by vehicle only; workers on foot will not be permitted entry to the Estate. No workers will be permitted on any part of the golf course or on property other than that on which they are authorised to work. Drivers of vehicles are responsible and accountable for the activities and behaviour of all occupants of the vehicle.

- **Clause 4 - MAIN ARCHITECT'S CONTRACTOR BOARD - NOT ALLOWED**

- **Clause 5 - VERGES**

No materials may be stored on any verge or joint ground during alterations. House owners are to provide space for this within their property. See clause 11.

- **Clause 6 - TOILET FACILITIES**

Before ANY activities commence, an adequate toilet properly tied down (see Clause 20 below) must be erected within the site boundaries in a position which will be screened from view from the golf course and street. If this is not possible a suitable screen must be erected. The colour of the toilet must be acceptable. Corrugated iron structures must be painted dark green. Anyone found not using the toilet will be ushered off the Estate.

- **Clause 7 - STORAGE FACILITIES**

If a store is placed on site, it must be acceptable, adequate and secure, properly tied down (see Clause 20 below) and placed within the site boundaries. If a corrugated iron or similar structure is used it must be painted dark green.

- **Clause 7.1 - SAND STORAGE**

Sand heaps must be covered before leaving the premises each day. In addition, the heaps must be covered on working days if wind is causing it to be blown away. Loose sand must not be left to spread over the building site and must be regularly heaped. All heaps to be covered with a suitable tarpaulin or shade cloth which must be adequately secured. Note that builders and / or owners will be held responsible should neighbours be affected by windblown sand. PLEASE CO-OPERATE FULLY IN THIS REGARD. Failure to act on this instruction will result in the site being closed down until this rule is complied with.

- **Clause 8 - DISPOSAL OF RUBBISH**

Before building operations commence, suitable containers for the ongoing accumulation of litter, plastic bags, cement bags, etc., shall be placed on site. The containers must be securely covered when the site is vacated and must be emptied and the contents removed from the Estate at appropriate intervals, but in any event, not less frequently than once a week. Burning of rubbish and fires generally are not permitted under any circumstances.

- **Clause 9 - DISPOSAL OF RUBBLE**

During building operations, rubble must be accumulated in a suitable pre-designated area within the boundaries of the site and must be removed from the Estate at appropriate intervals.

- **Clause 10 - DISPOSAL OF FILL**

During building operations, fill arising from building activities must be accumulated within the boundaries of the site and if not required for landscaping purposes must be removed at appropriate intervals.

- **Clause 11 - DELIVERIES**

Deliveries from suppliers must be scheduled during working hours only. Delivery vehicles will not be allowed entry after 17h00 if they are unlikely to be able to exit before 18h00. Vehicles carrying abnormally large or heavy loads may be denied access to certain parts of the Estate. Similarly, abnormally long or articulated vehicles will not be permitted entry for practical reasons. Suitable advance arrangements must be made with suppliers in this regard.

Owners and contractors will be liable for damage done by any vehicle associated with activity on their site and recovery of any related costs from owners or drivers of those vehicles will be the responsibility of owners and contractors.

Where materials are off-loaded by a supplier and encroach onto the verges or road, these materials must be moved immediately onto the site by the contractor. No material must be allowed to remain on the verges or road and it is the contractor's and owner's responsibility to clean the verges and road of all such materials. The same applies to sand or rubble washed or moved onto the verges or road during building operations.

- **Clause 12 - SPEED LIMITS**

Only licensed drivers are permitted to drive vehicles on the Estate. The driver of any vehicle considered by an appointed official of the HOA to be exceeding the speed limit of 40 km/h on Erinvale Drive and 25km/h on side roads will be stopped and warned. A subsequent transgression by the same driver will result in the driver being denied access to the Estate.

- **Clause 13 - NOISE**

All noise on site must be kept to a minimum. Where objections to excessive noise are lodged by nearby residents the HOA will take appropriate action.

- **Clause 14 - SLEEPING ON SITE**

Under no circumstances may any employee of a builder, sub-contractor, or security firm reside or sleep on a building site during the period of construction. Anyone found doing so will be evicted from the Estate. Written applications made to the HOA for permission for a bona fide uniformed security person to patrol specific properties at designated times will be considered on individual merit.

- **Clause 15 - DAMAGE**

Owners and the contractors shall be responsible for any damage caused by them or their agents on the Estate including, without affecting the generality hereof, damage to kerbs, verges, trees, plants on the sidewalks, common and golf course areas and Estate, Golf Club and private property.

- **Clause 16 - PROTECTION OF WILDLIFE**

Any person found disturbing, harming or destroying any animal, reptile or bird, or setting any traps or snares will be summarily evicted from the Estate and may be prosecuted in terms of Wildlife Protection Legislation. No person associated with building or allied activities on Erinvale will be permitted to fish from Estate dams.

- **Clause 17 - UNDESIRABLE CONDUCT**

Should the HOA be dissatisfied with the conduct of any contractor, sub-contractor or supplier, the HOA may rectify as deemed necessary and/or suspend building activity until such undesirable conduct is rectified.

- **Clause 18 - SITE SAFETY**

Owners and contractors are responsible for ensuring that all legislated requirements are complied with.

- **Clause 19 DEVIATIONS**

The HOA Building Inspector or Estate Manager will monitor all buildings for deviations on an ongoing basis. Where building work deviates from previously approved plans all building work relating to the deviation must cease with immediate effect. Building may not continue while an amending plan is drawn up and submitted which must be accompanied by the appropriate fee. The amended plan must be approved before work commences on the deviation. The Estate manager has been authorised to stop all building work should any such building deviations come to light.

- **Clause 20 - SPECIFICATION FOR SHEET METAL CLAD TEMPORARY STRUCTURES**

- 20.1 Sheet metal clad temporary structures will only be permitted at Erinvale for use on building sites as storage sheds or to house temporary toilet facilities.
- 20.2 Each structure must be fitted with a solid door which is fitted with a minimum of two hinges. The door must be lockable from the outside by means of a sliding bolt or hasp and staple in the case of a storage shed and both internally and externally in the case of a temporary toilet. The door to the toilet shall be closed at all times.
- 20.3 The above structures must be adequately anchored to the ground to withstand storm conditions and the following minimum standards apply:
 - 20.3.1 A post must be provided at each corner which is anchored into the ground at least 600 mm deep.
 - 20.3.2 Each side panel must be framed in timber of minimum thickness 50 x 75 mm.
 - 20.3.3 Each side panel must be bolted to the corner post by means of m.s. bolts, washers and lock nuts.
 - 20.3.4 The roof panel must in turn be bolted to the side panels with a minimum of three bolts per elevation and hoop iron straps at the corners.
 - 20.3.5 The sheeting must be fixed to the side panel frames and roof frame by means of approved roofing screws.
 - 20.3.6 The sheets should always be lapped in the direction of the prevailing wind.
 - 20.3.7 The entire structure must be anchored by means of two 4 x 6 mm galvanised wire straps running diagonally from the ground over the roof and attached to bolts cast into concrete blocks at least 300 x 300 x 300 mm deep.
- 20.4 The toilet structure must be fitted with a water borne flush toilet and connected directly into the foul sewer system.
- 20.5 The builder must ensure that adequate supplies of toilet paper are on hand to prevent the use of cement bags or newspaper which will lead to blockage of the system.
- 20.6 Both the storage and toilet structure must be painted dark green (Dulux Matchmaker 4801 – 2 or similar).
- 20.7 No advertising or other notices will be permitted on these structures.

• **Clause 21 - UNDERTAKING**

By their signatures hereto, owners and contractors acknowledge that they understand the content of this document and agree to be bound by its provisions and by those additions and/or amendments to its provisions which may be introduced from time to time.

Signed:

ERF NUMBER

OWNER *
(Signature)

DATE

NAME OF CONTRACTOR

MAIN CONTRACTOR / PROJECT MANAGER.....
(Signature)

DATE

Note: * If the development of sites is being undertaken by appointed representatives of owners, acceptable authority for those representatives to act on owners' behalf must be attached to this document.